The coherent enforcement of fundamental rights in the age of big data

The European Data Protection Supervisor (EDPS), Giovanni Buttarelli, has announced that he intends to set up a Digital Clearing House to promote more coherent enforcement of EU rules. In a new Opinion, Coherent enforcement of fundamental rights in the age of big data, published today, he drew attention to the mounting concern at concentration of market power and personal data in fewer and fewer hands, with the internet experience characterised by ‘walled gardens’ and take-it-or-leave-it data use policies. This means that authorities need to work more closely to protect the rights and interests of individuals, like the right to privacy, to freedom of expression and non-discrimination.

Data protection, consumer and competition law each in theory serve common goals, but in reality they generally work in silos, according to the EDPS. Each branch of the law has its own role to play, but they will be more effective if they work in tandem. The Digital Clearing House will be a voluntary network of regulators willing to share information and ideas on how to make sure web-based service providers are more accountable for their conduct.

This Opinion is part of an ongoing project, launched in March 2014 with the EDPS’ Preliminary Opinion on Privacy and Competitiveness in the Age of Big Data. On 29 September, the EDPS with BEUC, the European Consumer Organisation, will host a conference on this subject with experts from across Europe and contributors from the rest of the world including the United States and Japan. In addition to a number of high level panels, European Commissioner for Competition Margarethe Vestager, European Commission Director General for DG Justice Tiina Astola and US Federal Trade Commissioner Terrell McSweeny will deliver keynote speeches, before the EDPS details his plans for the Digital Clearing House.

The European Data Protection Supervisor (EDPS) is an independent supervisory authority devoted to protecting personal data and privacy and promoting good practice in the EU institutions and bodies. He does so by:

- monitoring the EU administration’s processing of personal data;
- advising on policies and legislation that affect privacy;
- cooperating with similar authorities to ensure consistent data protection.

The EDPS Opinion is available on the EDPS website. Questions can be directed to: press@edps.europa.eu

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